

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

**IN RE: REALPAGE, INC., RENTAL
SOFTWARE ANTITRUST
LITIGATION (NO. II)**

)
) **Case No. 3:23-md-3071**
) **MDL No. 3071**
)
) **This Document Relates to: ALL CASES**
)

ORDER

Based upon the discussion at the status conference on August 7, 2023, the Court terminates without prejudice the following motions:

1. Doc. No. 323 Motion to Dismiss for Failure to State a Claim as to LRO and Against the LRO Defendants;
2. Doc. No. 326 Motion to Dismiss for Lack of Jurisdiction;
3. Doc. No. 327 Motion to Dismiss for Lack of Jurisdiction;
4. Doc. No. 335 Motion to Dismiss Plaintiffs' First Amended Consolidated Class Action Complaint;
5. Doc. No. 337 Motion to Enforce Class Action Waiver;
6. Doc. No. 340 Motion to Dismiss for Failure to State a Claim;
7. Doc. No. 343 Motion to Dismiss for Lack of Jurisdiction;
8. Doc. No. 344 Motion to Dismiss for Failure to State a Claim as to Agency Liability;
and
9. Doc. No. 348 Motion to Stay all Discovery Pending Ruling on Motion to Dismiss.

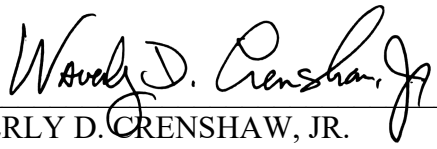
Additionally, the Court set the following deadlines:

1. On **August 11, 2023**, Defendants shall file a Notice identifying those Defendants

who agree to early mediation;

2. No later than **September 7, 2023**, Plaintiffs shall file a Second Multi-Family Amended Consolidated Complaint, and a First Student-Housing Amended Consolidated Complaint. There are no substantive limitations on those complaints, but they will serve as the final complaints in this action. Also, by this date, the parties shall file a Joint Notice identifying who remains in this action and who does not;
3. By **September 21, 2023**, Defendants shall identify and briefly describe any *new* motions to dismiss that they anticipate filing with respect to the Multi-Family Consolidated Complaint, as well as identify and briefly describe *all* motions they intend to file with respect the Student-Housing Consolidated Complaint;
4. Thirty (30) days after the filing of the Amended Consolidated Complaints, Defendants shall file their Motions to Dismiss. Replies shall be filed fourteen (14) days thereafter;
5. The Court tentatively sets a status conference for 10:00 a.m. on **September 29, 2023**. By 5:00 p.m. on **September 27, 2023**, the parties shall file a status report and indicate any issues that should be addressed at the conference;
6. On **December 11, 2023**, at 1:00 p.m., the Court will hold either a status conference or oral arguments on the Motions to Dismiss; and
7. The parties should continue their ongoing discussions regarding ESI, initial disclosures, deposition protocols, etc.

IT IS SO ORDERED.



WAVERLY D. CRENSHAW, JR.
CHIEF UNITED STATES DISTRICT JUDGE